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Federal Communications Commission

FCC 96-375

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
Amendment of the Amateur Service Rules ) **WT Docket No. 96-188**  
To Authorize Visiting Foreign Amateur )  
Operators to Operate Stations in the ) **RM-8677**  
United States. )

**NOTICE OF PROPOSED RULE MAKING**

Adopted: September 9, 1996

Released: September 20, 1996

Comment Date: December 13, 1996

Reply Comment Date: January 13, 1997

By the Commission:

**I. Introduction and Executive Summary**

1. This *Notice of Proposed Rule Making (Notice)* proposes to amend the amateur service rules to authorize citizens of certain countries in Europe and the Americas to operate stations while on short visits in the United States (U.S.). The proposed amendment of our rules would facilitate expeditious implementation of two pending international reciprocal operating arrangements. These arrangements are intended to make it easier for U.S. amateur operators to operate stations temporarily in twenty-two European countries, eight South American countries, Mexico, and Honduras. They also would benefit amateur operators of these same countries by allowing them to operate stations in places where the service is regulated by the Commission.<sup>1</sup>

**II. Background**

2. Currently, foreign amateur operators are authorized to operate stations in the U.S. under three circumstances. First, Part 97 of our rules provides operating privileges in the

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<sup>1</sup> The Commission regulates the amateur service in numerous places in International Telecommunications Union (ITU) Regions 2 and 3. See Part 97 Appendix 1, 47 C.F.R. Part 97 Appendix 1.

U.S. to citizens of Canada who hold amateur service licenses issued by the Government of Canada.<sup>2</sup> Second, Part 97 of our rules provides operating privileges to citizens of some 76 countries, whose governments have entered into bilateral reciprocal operating arrangements with the U.S., who obtain non-renewable one-year permits to operate their amateur stations in the U.S.<sup>3</sup> Finally, non-U.S. citizens who pass the required examinations are granted licenses in the same manner as U.S. citizens. This latter method is generally used by foreign operators who reside permanently in the U.S. or who are here for lengthy stays.<sup>4</sup>

3. There are two pending reciprocal operating arrangements that offer to provide more convenient ways for foreign amateur operators to operate stations in the U.S. They are the European Conference of Postal and Telecommunications Administrations (CEPT) radio-amateur license and the Inter-American Convention on an International Amateur Radio Permit (CITEL/Amateur Convention). These negotiations were prompted by amateur operators who want to operate their stations during international travel without first obtaining a permit from each country visited.

#### A. CEPT radio-amateur license

4. Under CEPT Recommendation T/R 61-01 (CEPT Agreement), CEPT radio-amateur licenses are granted by the country of which the person is a citizen. By possession of these licenses, holders can operate an amateur station temporarily in any participating CEPT

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<sup>2</sup> See 47 C.F.R. § 97.7(b).

<sup>3</sup> We issue some 2,500 reciprocal permits annually. The permit is valid for one year. See *Public Notice, Amateur Service Reciprocal Operating Arrangements*, September 5, 1995.

<sup>4</sup> Some 30,000 volunteer examiners throughout the world prepare and administer over 100,000 examinations annually.

country without first obtaining another license or permit from the host country.<sup>5</sup> The CEPT Agreement also provides for reciprocal operation between participating CEPT countries and participating non-CEPT countries.<sup>6</sup> Three non-CEPT countries -- Israel, Peru and New Zealand -- are currently participating in the CEPT Agreement. With the U.S. as a participating non-CEPT country, U.S. citizens could operate amateur stations temporarily in participating European countries and their citizens could enjoy similar operating privileges in the U.S. We have, therefore, requested the Department of State to apply for participation in the agreement as a non-CEPT country.<sup>7</sup> We expect the agreement will be concluded this year.

## **B. International Amateur Radio Permit**

5. The *Inter-American Convention on an International Amateur Radio Permit* AG/doc.3216/95 (CITEL/Amateur Convention)<sup>8</sup> is an arrangement that would allow visitors to operate stations temporarily in other countries of the Americas. The August 21-25, 1995, meeting of the *Inter-American Telecommunication Commission (CITEL) Permanent Consultative Committee III: Radio Communications* adopted a resolution submitted by the U.S. urging members to sign the CITEL/Amateur Convention. Participation in the CITEL/Amateur Convention would allow U.S. citizens to operate amateur stations in ten

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<sup>5</sup> Currently, twenty-two of the thirty-two CEPT countries have implemented the agreement: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France [including French Guiana, French Polynesia (Gambier, Marquesas, Society, and Tubuai Islands, and Tuamotu Archipelago), Guadeloupe, Ile Amsterdam, Ile Saint-Paul, Iles Crozet, Isles Kerguelen, Martinique, New Caledonia, Reunion, St. Pierre and Miquelon, and Wallis and Futuna Islands], Federal Republic of Germany, Hungary, Republic of Ireland, Italy, Liechtenstein, Luxembourg, Netherlands, Norway, Romania, Slovakia, Sweden, Switzerland, and the United Kingdom [including Bermuda, British Virgin Islands, Cayman Islands, Channel Islands (including Guernsey and Jersey) Falkland Islands (including South Georgia Islands and South Sandwich Islands), Great Britain, Gibraltar, Hong Kong, Isle of Man, Montserrat, Northern Ireland, Saint Helena (including Ascension, Gough Island, and Tristan Da Cunha Island), and Turks and Caicos Islands].

<sup>6</sup> The agreement, however, does not cover the operation of stations from non-CEPT participants in the countries of other non-CEPT participants.

<sup>7</sup> See Letter from Chief, International Bureau to Deputy Assistant Secretary for the Economic and Business Affairs Bureau, Department of State, dated July 21, 1995.

<sup>8</sup> The CITEL/Amateur Convention was adopted and opened for signature by the General Assembly of the Organization of American States at its Twenty-Fifth Regular Session, held June 5, 1995, in Montrouis, Haiti.

countries within CITEL, a component of the Organization of American States.<sup>9</sup> Under the CITEL/Amateur Convention, individual amateur operators with an International Amateur Radio Permit (IARP) would have reciprocal operating privileges. Article 3 of the CITEL/Amateur Convention provides that an IARP may be issued by the home administration or, under authority delegated, by the member-society of the International Amateur Radio Union (IARU).<sup>10</sup> The American Radio Relay League, Inc. (ARRL) has offered its services to the Department of State to conduct this work on a non-discriminatory basis, at no cost, charge, or expense to the United States Government.<sup>11</sup>

6. On July 19, 1995, the ARRL filed a petition for rule making requesting amendment of the rules to implement the CITEL/Amateur Convention.<sup>12</sup> ARRL further requests the Commission to acknowledge the arrangements to be made between the ARRL and the Department of State for the issuance of IARP documents to U.S. citizens for their use in other CITEL countries.

### III. Discussion

#### A. Regulatory Procedures

7. *Foreign Amateur Operators Visiting the U.S.* We believe that U.S. participation in both the CEPT Agreement and the CITEL/Amateur Convention would benefit U.S. amateur operators who travel to Europe and to the Americas, as well as foreign amateur operators visiting places where the amateur service is regulated by the Commission. Arrangements of

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<sup>9</sup> The CITEL countries are: Argentina, Brazil, Canada, Chile, Colombia, Ecuador, Honduras, Mexico, Paraguay, Peru, United States and Uruguay.

<sup>10</sup> See *Inter-American Convention on an International Amateur Radio Permit, Article 3, adopted June 8, 1995*. ARRL is the IARU member-society in the United States. See also ARRL Petition for Rule Making, RM-8677, at 6.

<sup>11</sup> Letter from Mr. Christopher D. Imlay, General Counsel, ARRL, to the Director, Radio Spectrum Policy, U.S. Department of State (August 2, 1995). See also ARRL Petition for Rule Making, RM-8677, at 1-2, and 11-12.

<sup>12</sup> Petition for Rule Making, RM-8677, filed July 19, 1995, by ARRL. See Corrected Public Notice, Report No. 2087, September 7, 1995.

the types contemplated are authorized by the Communications Act.<sup>13</sup> Those statutory provisions authorize the Commission to permit an alien, licensed by his or her government as an amateur operator, to operate an amateur station in the U.S., provided there is in effect a multilateral or bilateral agreement that allows such operation on a reciprocal basis. Therefore, in anticipation of U.S. participation, we tentatively conclude that the rules should be amended to authorize, by rule, citizens of participating CEPT countries holding CEPT radio-amateur licenses and citizens of participating CITEL countries holding IARPs to operate amateur stations in the U.S. temporarily.

8. We believe that the temporary period for operation in the United States under a CEPT radio-amateur license or IARP should be of sufficient duration to provide flexibility for foreign visitors on business trips and vacations, tourists and persons attending conferences, as well as students and visiting professors, to operate their amateur stations without the need to submit applications or take examinations well in advance of their visit. We are proposing to authorize up to 180 days within the immediately preceding five years. This would benefit foreign amateur operators who make several short-term visits to the United States during the five years, as well as those who make but a single visit. We expect that during such short-term visits, station operation by a foreign visitor would be of a relatively simple nature probably using a hand-held or mobile transceiver. We do not anticipate that sophisticated station operations such as beacon, repeater, or auxiliary station operations would be attempted. Our rules currently do not authorize a reciprocal permittee to engage in such special operations, and these rules would apply to these two new categories of reciprocal licensees as well.<sup>14</sup> During a brief visit, the burdensome construction or transport of these more complex stations would be unlikely. Thus, proof of competence and knowledge of our unique rules in these advanced areas -- which are requirements for our licensees -- appear unnecessary. We believe that the underlying foreign license can stand as proof of qualification to properly perform, for a short period, the duties required for uncomplicated amateur station operation. A longer stay, however, would appear to warrant obtaining an amateur service license because of the likelihood of more sophisticated station operations. We request comment on our conclusion that foreign visitors with CEPT radio-amateur licenses and IARPs can operate amateur stations properly under our rules during short-term visits, based upon the underlying licenses that they hold from their own country. Additionally, comments are requested concerning our proposed definition of short-term visits as stays for 180 days within the immediately preceding five years. Any commenters supporting a longer or shorter period of time should provide an explanation of why such time periods would be more appropriate.

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<sup>13</sup> The statutory basis for reciprocal licensing is contained in Sections 303(l)(3) and 310(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 303(l)(3) and 310(c). Additionally, Canadian amateur operators may operate their stations in the U.S. under a bilateral agreement signed February 8, 1951. That agreement entered into force May 15, 1952. See TIAS 2508.

<sup>14</sup> See 47 C.F.R. §§ 97.201, 97.203 and 97.205.

9. We believe generally that widespread access to information of the authorization status of transmitting stations promotes self-policing and discourages unlicensed stations from operating on the amateur service bands. We provide an accessible data base listing the amateur stations and operators that we authorize.<sup>15</sup> The amateur service community further processes and disseminates this information electronically. Under the procedures proposed herein, operation would be authorized by rule rather than by the grant of a license or permit. Information on the status of holders of CEPT radio-amateur licenses and IARPs, therefore, would have to be obtained from the responsible agencies in the country of issuance. Considering the short time period during which foreign visitors would be operating amateur stations, we do not believe it would be necessary for the Commission to routinely collect and disseminate the information. We have no objection, however, to the amateur service community doing so.

10. *U.S. Amateur Operators Visiting Foreign Countries.* No amendments to our rules are necessary for operation by U.S. citizens in foreign countries. Further, we do not contemplate that the Commission would issue individual licenses for operation in foreign countries nor maintain a data base of such information. To activate operating authority in Europe under the CEPT Agreement, a traveler would have to carry credentials explaining in English, French, and German that the person, if a U.S. citizen and if a Commission-licensed amateur operator, is entitled to certain amateur station operating privileges in the specific European countries that have implemented the CEPT Agreement. For this purpose, we propose to rely upon (1) a public notice containing the necessary explanation, (2) the Commission-issued amateur service license document (FCC Form 660), and (3) proof of U.S. citizenship. For the CITEL/Amateur Convention, we have no objection to the mechanism that ARRL wishes to establish for the issuance of IARP documents to U.S. citizens. We request comment on these conclusions and issues, including the desirability of relying upon a public notice or other document similar to that proposed for the CEPT Agreement.

## **B. Operator Privileges**

11. Additionally, in view of the variations in operator requirements and privileges between countries and the temporary nature of the intended operations, the CEPT radio-amateur license or IARP should not be used to circumvent the license examination system of the host country. We propose, therefore, that no resident alien or U.S. citizen, regardless of any other citizenship held, be eligible to operate an amateur station in the U.S. under a CEPT radio-amateur license or IARP. We believe that the operating requirements for a resident

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<sup>15</sup> These activities rely upon the Commission's licensee data base of amateur station call signs indexed to licensee names, addresses and classes of operator license. It is updated daily and disseminated through the Internet. Additionally, we disseminate a data base listing the persons to whom we have issued a *reciprocal permit for alien amateur licensee*.

alien in the U.S. should be the same as that for a U.S. citizen. We propose, moreover, that when a non-U.S. citizen holding either a CEPT radio-amateur license or an IARP obtains a ten-year term Commission license grant, only the operator privileges of the Commission license apply. When a person, regardless of citizenship, obtains a Commission license, the skill level at which the person can operate a station properly in the U.S. has been established accurately by our amateur service community. The volunteer examiners in the community determine through a series of increasingly difficult examinations in regulatory, operational, and technical matters the highest of the six classes of operator license at which the person can operate an amateur station properly under the Commission's rules for the amateur service.<sup>16</sup> We request comment on these proposed safeguards for our amateur operator license examination system.

12. There are two classes of CEPT radio-amateur licenses and IARPs. Class 1 requires knowledge of the international Morse code and carries all operating privileges. It is, therefore, similar to our Amateur Extra Class. Class 2 does not require knowledge of telegraphy and carries all operating privileges above 30 MHz. It is, therefore, similar to our Technician Class operator license. We propose, therefore, to authorize for Class 1 operators the frequency privileges of Amateur Extra Class operators. We further propose to authorize for Class 2 operators the frequency privileges of Technician Class operators.<sup>17</sup> Finally, we propose to add the CEPT radio-amateur license and the IARP to the rule providing for station identification by foreign visitors operating amateur stations in the U.S. We request comment on these proposed operator privileges and station identification requirements.

#### IV. Conclusion

13. Accordingly, we propose to amend Part 97 of the rules to authorize, by rule, a person holding a CEPT radio-amateur license issued by a participating CEPT country or an IARP issued under the authority of a participating CITE country to temporarily operate, for a period of 180 days or less, an amateur station in the U.S. Citizens of these countries visiting the U.S., such as tourists, attendees at conferences, students and visiting professors, would benefit from having a convenient procedure available whereby they could operate their amateur stations while here in the U.S. Additionally, U.S. citizens who travel in Europe or in the Americas for short visits would similarly benefit. Comments are invited on the proposals described above.

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<sup>16</sup> The classes of operator license -- lowest to highest examination requirements -- are Novice, Technician, Technician Plus, General, Advanced, and Amateur Extra. Each higher class is authorized greater privileges. See Sections 97.301 and 97.501 of the Commission's Rules, 47 C.F.R. §§ 97.301 and 97.501.

<sup>17</sup> The qualifications for a Novice Class operator license are less than those required for a CEPT radio-amateur license. As there is no comparable operator class in CEPT, Novice Class operators will not be included in the CEPT licensing agreement.

## V. Procedural Matters

### A. *Ex Parte* Rules - Non-Restricted Proceeding

14. This *Notice of Proposed Rule Making* proceeding is a non-restricted notice and comment rule making proceeding. *Ex Parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as required by the Commission's rules. See generally 47 C.F.R. §§ 1.1202, 1.1203, and 1.1206(a).

### B. Initial Regulatory Flexibility Analysis

15. See Appendix B for the Initial Regulatory Flexibility Analysis.

### C. Comment Dates

16. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's Rules, 47 C.F.R. §§ 1.415 and 1.419, interested parties may file comments on or before December 13, 1996, and reply comments on or before January 13, 1997. To file formally in this proceeding, you must file an original and four copies of all comments, reply comments and supporting comments. If you want each Commissioner to receive a personal copy of your comments, you must file an original plus nine copies. You must send comments and reply comments to Office of the Secretary, Federal Communications Commission, Washington, D. C. 20554. You may also file informal comments by electronic mail. You should address electronic mail comments to [mdeport@fcc.gov](mailto:mdeport@fcc.gov). You must put the docket number of this proceeding on the subject line ("WT Docket No. 96-188"). You must also include your full name and Postal Service mailing address in the text of the message. Formal and informal comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center, Room 239, Federal Communications Commission, 1919 M Street, N. W., Washington, D. C. 20554.

**D. Ordering Clauses**

17. Accordingly, IT IS ORDERED that this *Notice of Proposed Rule Making* is HEREBY ADOPTED.

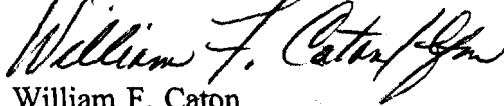
18. IT IS FURTHER ORDERED that the Secretary shall mail a copy of this document to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 605(b) of the Regulatory Flexibility Act. Pub. L. No. 96-354, 94 Stat. 1164, 5 U.S.C. §§ 601-612 (1980).

19. The authority for this action is contained in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 303(r).

**E. Contact Person**

20. For further information concerning this proceeding, contact Maurice J. DePont, Wireless Telecommunications Bureau, (202) 418-0690.

FEDERAL COMMUNICATIONS COMMISSION



William F. Caton  
Acting Secretary

## APPENDIX A

Part 97 of Chapter I of Title 47 of the Code of Federal Regulations is proposed to be amended as follows:

**Part 97 - Amateur Radio Service**

1. The authority citation for Part 97 continues to read as follows:

**Authority citation:** 48 Stat. 1066, 1082, as amended; 47 U.S.C. §§ 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. §§ 151-155, 301-609, unless otherwise noted.

2. Section 97.3(a) (12) through (23) is redesignated as Section 97.3(a) (13) through (24) and new Section 97.3(a)(12) is added to read as follows. Current Section 97.3(a)(24) through (46) is redesignated as (26) through (48) and new Section 97.3(a)(25) is added to read as follows:

**§ 97.3 Definitions.**

(a) \*\*\*

(12) *CEPT radio-amateur license*. A license issued by a country belonging to the European Conference of Postal and Telecommunications Administrations (CEPT) that has adopted Recommendation T/R 61-01 (Nice 1985, revised in Paris 1992 and by correspondence August 1992).

\* \* \* \* \*

(25) *IARP*. International Amateur Radio Permit. A document issued pursuant to the terms of the Inter-American Convention on an International Amateur Radio Permit by a country signatory to that Convention, other than the United States. Montrouis, Haiti. AG/doc.3216/95.

\* \* \* \* \*

3. Section 97.5(c) is amended by adding new paragraphs (c)(3) and (c)(4) to read as follows:

**§ 97.5 Station license required.**

\* \* \* \* \*

(c) \*\*\*

(3) A CEPT radio-amateur license issued to the person by the country of which the person is a citizen. The person must not:

(i) Be a resident alien or citizen of the United States, regardless of any other citizenship also held;

(ii) Hold an FCC-issued amateur operator license nor reciprocal permit for alien amateur licensee;

(iii) Be a prior amateur service licensee whose FCC-issued license was revoked, suspended for less than the balance of the license term and the suspension is still in effect, suspended for the balance of the license term and relicensing has not taken place, or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings; or

(iv) Be the subject of a cease and desist order that relates to amateur service operation and which is still in effect.

(4) An IARP issued to the person by the country of which the person is a citizen. The person must not:

(i) Be a resident alien or citizen of the United States, regardless of any other citizenship also held;

(ii) Hold an FCC-issued amateur operator license nor reciprocal permit for alien amateur licensee;

(iii) Be a prior amateur service licensee whose FCC-issued license was revoked, suspended for less than the balance of the license term and the suspension is still in effect, suspended for the balance of the license term and relicensing has not taken place, or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings; or

(iv) Be the subject of a cease and desist order that relates to amateur service operation and which is still in effect.

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4. In Section 97.7, new paragraphs (c) and (d) are added to read as follows:

**§ 97.7 Control operator required.**

\* \* \* \* \*

(c) A CEPT radio-amateur license issued to the person by the country of which the person is a citizen. The person must not:

- (1) Be a resident alien or citizen of the United States, regardless of any other citizenship also held;
- (2) Hold an FCC-issued amateur operator license nor reciprocal permit for alien amateur licensee;
- (3) Be a prior amateur service licensee whose FCC-issued license was revoked, suspended for less than the balance of the license term and the suspension is still in effect, suspended for the balance of the license term and relicensing has not taken place, or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings; or
- (4) Be the subject of a cease and desist order that relates to amateur service operation and which is still in effect.

(d) An IARP issued to the person by the country of which the person is a citizen. The person must not:

- (1) Be a resident alien or citizen of the United States, regardless of any other citizenship also held;
- (2) Hold an FCC-issued amateur operator license nor reciprocal permit for alien amateur licensee;
- (3) Be a prior amateur service licensee whose FCC-issued license was revoked, suspended for less than the balance of the license term and the suspension is still in effect, suspended for the balance of the license term and relicensing has not taken place, or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings; or
- (4) Be the subject of a cease and desist order that relates to amateur service operation and which is still in effect.

5. In Section 97.107, paragraph (c) is revised and new paragraphs (d) and (e) are added to read as follows:

**§ 97.107 Alien control operator privileges.**

\* \* \* \* \*

(c) The privileges available to a control operator holding a valid CEPT radio-amateur license are as specified elsewhere in this Part provided the holder:

(1) Complies with the terms of the agreement between the CEPT and the United States;

(2) Is not a resident alien or citizen of the United States;

(3) Has not been in any area where radio services are regulated by the FCC for more than 180 days within the immediately preceding five years;

(4) Does not hold an FCC-issued operator/primary station license grant; and

(5) Does not hold an FCC-issued reciprocal permit.

(d) The privileges available to a control operator holding a valid IARP are as specified elsewhere in this Part provided the holder:

(1) Complies with the terms and conditions of the *Inter-American Convention on an International Amateur Radio Permit (AG/doc.3216/95)*;

(2) Is not a resident alien or citizen of the United States;

(3) Has not been in any area where radio services are regulated by the FCC for more than 180 days within the immediately preceding five years;

(4) Does not hold an FCC-issued operator/primary station license grant; and

(5) Does not hold an FCC-issued reciprocal permit.

(e) At any time the FCC may, in its discretion, modify, suspend, or cancel the reciprocal permit for alien amateur licensee, or the amateur service privileges of any Canadian amateur service licensee, CEPT radio-amateur licensee or IARP permittee within or over any area where radio services are regulated by the FCC.

6. In Section 97.119, paragraph (f) is revised to read as follows:

**§ 97.119 Station identification.**

\* \* \* \* \*

(f) When the station is transmitting under the authority of a reciprocal permit for alien amateur licensee, a CEPT radio-amateur license, or an IARP, an indicator consisting of the appropriate letter-numeral designating the station location must be included before, after, or

both before and after, the call sign issued to the station by the licensing country. When the station is transmitting under the authority of an amateur service license issued by the Government of Canada, the station location indicator must be included after or both before and after the call sign. At least once during each intercommunication, the identification announcement must include the geographical location as nearly as possible by city and state, commonwealth or possession.

7. In Section 97.301, paragraphs (a) and (b) are revised to read as follows:

**§ 97.301 Authorized frequency bands.**

\* \* \* \* \*

(a) For a station having a control operator who has been granted a Technician, Technician Plus, General, Advanced, or Amateur Extra Class operator license or who holds a CEPT radio-amateur license or IARP of any class:

\* \* \* \* \*

(b) For a station having a control operator who has been granted an Amateur Extra Class operator license or who holds a CEPT radio-amateur license Class 1 license or Class 1 IARP:

\* \* \* \* \*

**APPENDIX B****INITIAL REGULATORY FLEXIBILITY ANALYSIS**

We certify that the Regulatory Flexibility Act of 1980 does not apply to this rule making proceeding because promulgation of the proposed rule amendments will not create significant economic impact on a substantial number of small business entities, as defined by Section 601(3) of the Regulatory Flexibility Act. The amateur stations that are the subject of this proceeding would not be authorized to transmit any communications where the station licensee or control operator has a pecuniary interest. The Secretary shall send a copy of the Notice of Proposed Rule Making, including the certification, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 605(b) of the Regulatory Flexibility Act. Pub. L. No. 96-354, 94 Stat. 1164, 5 U.S.C. §§ 601-612 (1980).

**Need For and Objective of the Rules**

This *Notice of Proposed Rule Making* proposes to amend the amateur service rules to authorize citizens of certain countries in Europe and the Americas to operate stations while on short visits in the United States (U.S.). The proposed amendment of our rules would facilitate expeditious implementation of two pending international reciprocal operating arrangements. These arrangements are intended to make it easier for U.S. amateur operators to operate stations temporarily in twenty-two European countries, eight South American countries, Mexico, and Honduras. They also would benefit amateur operators of these same countries by allowing them to operate stations in places where the service is regulated by the Commission. We believe that the benefits of facilitating the implementation of these two international reciprocal operating arrangements exceed any negative effects that may result from the promulgation of rules for this purpose. Thus, we conclude that the public interest is served by serving amateur operators more efficiently.

**Projected Reporting, Recordkeeping and Other Compliance Requirements of the Rule**

There are no reporting or recordkeeping requirements in the proposed rules. In the proposal, we state our belief that widespread knowledge of the license status of transmitting stations discourages unlicensed stations from operating on the amateur service bands. We provide a readily-accessible data base listing the stations and operators that we license. The amateur service community further processes and disseminates this information electronically. Among other uses, this information is used by the amateur service community for self-policing activities. Under the procedures proposed herein, the Commission would not collect the information and provide for a data base of amateur stations operating in this country under CEPT radio-amateur licenses and IARPs. This information would have to be collected by the amateur service community.

**Description and Estimate of Small Entities Subject to the Rules**

The rules for the amateur service regulate a radiocommunication service for the purpose of self-training, intercommunication and technical investigations carried out by amateurs, that is, duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest. The amateur stations that are the subject of this proceeding will not be authorized to transmit any communications where the station licensee or control operator has a pecuniary interest. On this basis, we conclude that no small entities would be subject to the proposed rule amendments.

**Steps Taken To Minimize the Burdens on Small Entities**

No burdens on small entities are contemplated.

**Significant Alternatives Considered and Rejected**

There are three alternatives to the rules proposed herein. First, Part 97 of our rules provides operating privileges in the U.S. to citizens of Canada who hold amateur service licenses issued by the Government of Canada. Second, Part 97 of our rules provides operating privileges to citizens of some 76 countries, whose governments have entered into bilateral reciprocal operating arrangements with the U.S., who obtain non-renewable one-year permits to operate their amateur stations in the U.S. Finally, non-U.S. citizens who pass the required examinations are granted licenses in the same manner as U.S. citizens. This latter method is generally used by foreign operators who reside permanently in the U.S. or who are here for lengthy stays. Under the proposed rules, these provisions will continue. The proposal is to provide for the implementation of two pending reciprocal operating arrangements that offer to provide more convenient ways for foreign amateur operators to operate stations in the U.S. These negotiations were prompted by amateur operators who want to operate their stations during international travel without first obtaining a permit from each country visited.